

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of  
von BORSTEL et al

Serial No. 09/930,494

Filed: August 16, 2001



Atty. Ref.: LCM-1331-352

TC/A.U.: 1623

Examiner: Patrick T. Lewis

For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL  
DISEASES

\* \* \* \* \*

September 14, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO/SB/08a which were cited in an Office Action in corresponding European Patent Application No. 99968207.3.

This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

It is hereby stated that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

It is respectfully requested that the Examiner initial and return a copy of the enclosed FORM PTO/SB/08A, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Pursuant to Rule 37 C.F.R. §1.97(c), a fee of \$180.00 as specified in Rule 17(p) is attached. If there is any shortage in the fee, please charge the deposit account of Nixon & Vanderhye, Account No. 14-1140.

09/17/2007 JADD01 00000030 09930494

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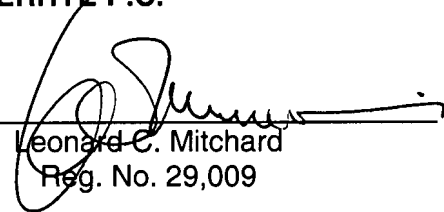
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**von BORSTEL et al**  
**Serial No. 09/930,494**

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
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~~ATTY. DOCKET NO.~~

1331-352

APPLICANT

von BORSTEL et al

FILING DATE

August 16, 2001

SERIAL NO.

09/930,494

GROUP

1623

(Use several sheets if necessary)

[illegible]

POWER OF ATTORNEY DOCUMENTS							TRANSLATION	
DOCUMENT			DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
		WO 00/06174	02/2000	WO				
		GB 817,877	08/1959	GB				
		WO 97/45127	12/1997	WO				
		EP 0 462 075 A2	12/1991	EP				

	Office Action issued by European Patent Office Communication pursuant to Article 96(2) EPC; European Patent Application No. 99 968 207.3 – 2123 dated 24 August 2007 (6 pgs).
	Cacabelos, R., et al; “Therapeutic Effects of CDP-Choline in Alzheimer’s Disease Cognition, Brain Mapping, Cerebrovascular Hemodynamics, and Immune Factors”; <i>Annals New York Academy of Sciences; The Neurobiology of Alzheimer’s Disease</i> ; pp.399-403 (1996) XP008065562.
	Pecori, J., et al; “Systemic administration of a neurotrophic drug in the complementary treatment of glaucomatous optic neuropathy”; <i>New Trends in Ophthalmology</i> ; Vol. IX, No. 2; pp. 85-91 (1994) XP008065559.

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Initial a this form with next communication to application.